

DECLARATION FOR PATENT APPLICATION

Docket Number (Optional)

RAR456.02

As a below named inventor, I/we hereby declare that:

INVENTOR IDENTIFICATION: My/our residence, post office address and citizenship are as stated below or next to my/our name.

INVENTORSHIP CLAIM: I/we believe I/we am/are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Lawn and Garden Implement Caddy, the specification of which is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR: I/we hereby state that I/we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I/we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

PRIORITY CLAIM:

(1) **Prior Foreign Application(s):** I/we hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

N/A _____ Yes No
(Number) (County) (Day/Month/Year Filed)

(2) **Provisional Application(s):** I/we hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/461,377 _____ 04/10/2003
(Provisional Application Number) (Filing Date)

(3) **Continuation Application(s):** I/we hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I/we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

N/A _____
(Application Number) (Filing Date) (Status - patented, pending, abandoned)

SMALL ENTITY STATEMENT/DECLARATION: Applicant(s) is/are a Small Entity as defined by 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described and have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

POWER OF ATTORNEY: I/we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Richard A. Ryan Registration No. 39,014.

Address all telephone calls to Richard A. Ryan at telephone number: (559) 447-1862 fax number: (559) 447-1042

Address all correspondence to Richard A. Ryan
RYAN & ENGNATH
8469 N. Millbrook, Suite 104
Fresno, California 93720

DECLARATION: I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Richard L. Gibbs
Inventor's signature R. L. Gibbs Date 3-12-04
Residence Visalia, California Citizenship U.S.
Post Office Address 2301 S. Dividsadero, Sp. 70
Visalia, California 93277

ADDITIONAL INVENTORS: Separately numbered sheets naming additional inventors are attached hereto. Yes No

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

Docket Number

RAR456.02

Applicant or Patentee: Richard L. Gibbs

Serial or Patent No.: _____

Date Filed or Issued: _____

Title: Lawn and Garden Implement Caddy

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- the specification filed herewith with title as listed above.
- the provisional application filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern, or organization
- persons, concerns or organizations listed below:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Richard L. Gibbs

NAME OF INVENTOR



Signature of Inventor

3-12-04

Date